IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re Patent Application of

Rainer K. Schmid

Group Art Unit: 3728

Application No.: 10/681,536

Examiner: JILA M MOHANDESI

Filed: October 7, 2003

Confirmation No.: 7472

For: ENERGY RETURN SOLE FOR **FOOTWEAR**

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

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In response to the Restriction Requirement dated October 18, 2004, Applicant submits the following amendment and election:

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Amendment to the claims begin on page 2.

Election and remarks begin on page 10.

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Attorney	Docket No.	032004-007		
	Application No.	10/681.536		

No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS							
	No. of Claims	Highe of Cl Previo	aims ously		Extra Claims	Rate	Additional Fee
Total Claims	18	MINUS	25	=	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims	2	MINUS	3	=	0 ·	x \$88.00 (1201) =	\$ 0.00
If Amendment adds n	rultiple depen	dent claim	ns, ad	d \$	300.00 (1203)		
Total Claim Amendment Fee					\$ 0.00		
Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee				\$ 0.00			
TOTAL ADDITIONAL	CLAIM FEE	DUE FOR	R THI	S A	MENDMENT		\$ 0.00

A check in the amount o	f is enclosed for the fee due.		
Charge	to Deposit Account No. 02-4800.		
Charge	to credit card. Form PTO-2038 is attached.		
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.			

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: November 16, 2004

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Respectfully submitted,